

REMARKS

Claims 1-27 remain pending in the application. Claims 9-10 have been amended to more definitely claim the recited invention. No new matter has been entered. Applicants request reconsideration of all claims in light of the remarks presented below.

By way of this amendment, Applicants have made an effort to place all pending claims in condition for allowance. However, should there be any outstanding issues, it is respectfully requested that the Examiner telephone the undersigned so that such issues may be resolved as expeditiously as possible.

Claim Objections

Claim 10 was objected to under 37 CFR 1.75 (c) for failing to further limit the subject matter of the reference claim. Applicants have amended claim 10 to recite "... displaying the message occurs based on the updated status". This limitation further narrows subject matter recited in the reference claim, claim 9, by requiring display of the message based on the updated status of each of the plurality of recipients. Accordingly, Applicants submit that claim 10 complies with 37 CFR 1.75 (c) and respectfully request that this objection be withdrawn.

35 USC 112, 6th paragraph Interpretation

It is unclear from the Office Action, whether the Office Action has rejected claim 14 based on 35 USC 112 paragraph 6, (Office Action, Page 2, Line 17 – Page 3, Line 7). The Office Action avers that Applicants must show for the record why the claim language invokes 35 USC 112 paragraph 6 and must also identify the function and corresponding structure, (Office Action, Page 2, Lines 21-22). Applicants know of no legal authority that requires such a showing or identification of function and corresponding structure be entered into the record. The statute relied upon to make this averment, 35 USC 112, 6th paragraph, states in its entirety "an element in a claim for a combination may be expressed as a means or step for performing a

specified function without the recital of structure, material, or acts in support thereof, and such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof, (35 USC 112, 6th Paragraph).

Nevertheless, to further prosecution of this application, Applicants provide the following analysis. First, the Office Action asserts that the Applicants must show why the claim language properly invokes 35 USC 112, 6th paragraph, (Office Action, Page 2, Line 21-22). Claim 14 recites a “means for selecting”, a “means for searching”, a “means for detecting” and a “means for displaying”. Applicants submit that this claim language clearly invokes 35 USC 112 6th paragraph by reciting the word “means” followed immediately by a function.

Second, the Office Action asserts that Applicants must identify function and corresponding structure, (Office Action, Page 2, Lines 22-23). Applicants provide the following exemplary structures for each of the functions recited in claim 14: 1) selecting an event (e.g. keyboard), (Application, Page 6, Line 22) receiving a message associated with the event (e.g. electronic device), (Application Page 6, Lines 11-21); identifying a plurality of recipients of a message based on a plurality of participants associated with the event (e.g. server), (Application Figure 2, Page 8, Lines 6-8); and transmitting the message to the plurality of recipients (e.g. server), (Application, Page 8, Lines 10-11). Applicants point out that the identified structures are exemplary and that other examples of structures that provide the same or equivalent functions are provided in the specification. Moreover, structures that would be apparent to one of ordinary skill in the art and equivalents to structures found in the specification are also contemplated for use in embodiments of the recited invention.

Claim Rejections - 35 U.S.C. §112

Claims 9 and 10 were rejected under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim the invention. Claims 9 and 10 have been amended to more precisely claim the invention. Accordingly, Applicants respectfully request that this rejection be withdrawn,

Claim Rejections - 35 U.S.C. §102

Claims 1-7 and 9-27 were rejected under 35 U.S.C. § 102(b), as being anticipated by U.S. Patent No. 6,466,969 (Bunney et al.).

Claims 1-7 and 9-14 recite “selecting an event” and “searching for an event profile corresponding to the event wherein the event profile includes a plurality of participants of the event”. The Office Action concludes Bunney teaches these steps, (Office Action, Page 4, Lines 13-18). Applicant respectfully traverses.

The Office Action in its rejection improperly fails to provide the Bunney part or step relied on to assert that Bunney anticipates the recited steps of “selecting an event” and “searching for an event profile”, (Office Action, Page 4, Lines 13-15).

When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. 37 C.F.R. § 1.104 (c) (ii).

Without proper identification of the alleged anticipating steps of Bunney, it is particularly difficult to properly traverse the mere conclusion that Bunney discloses the recited steps. The Office Action provides no analysis or reasoning to support this conclusion. Applicants are improperly left to speculate as to the Office Action’s interpretation of Bunney and to the parts or steps that might result in the Office Action’s conclusion of anticipation.

Specifically addressing the recited limitations, Applicants cannot find a disclosure in Bunney of selecting an event. Bunney discloses searching, listing and scheduling events but is silent with regard to selecting an event, (Bunney, Column 3, Line 36, Column 4, Lines 20-21, Column 8, Lines 43-48). Applicants submit that this limitation is not taught anywhere in Bunney making claims 1-7 and 9-14 patentable over Bunney.

Moreover, Applicants cannot find disclosure in Bunney of searching for an event profile. Applicants believe that the Office Action may have mistakenly rejected claims 1-7 and 9-17 by equating Bunney’s “user profile” with Applicants’ recited “event profile”. Bunney’s, user profile, however, is different from Applicants event profile because Bunney’s user profile does not include “a plurality of participants of the selected event” as recited in claims 1-7 and 9-14.

Selecting an event and searching for an event profile corresponding to the event is an important feature of Applicants invention. Applicants' event profile includes participants in the event. Using Applicants' method an event may be selected and an event profile search may return an event profile that includes participants in the event so that appropriate recipients of a message related to the event may be determined. This important feature is not disclosed by Bunney.

Claims 15-21 and 27 recite "selecting an event" and "identifying a plurality of recipients of a message based on a plurality of participants associated with the event". The Office Action asserts Bunney teaches these steps, (Office Action, Page 11-16, Lines 13-18). Applicants respectfully traverse.

The Office Action in its rejection of claims 15-21 and 27 improperly fails to provide the Bunney part or step relied on in its assertion that Bunney anticipates the recited steps of "selecting an event" and "identifying the plurality of recipients, (Office Action, Page 4, Lines 13-15). As explained above, Bunney fails to disclose "selecting an event" making claims 15-21 and 27 patentable over Bunney. Moreover, Bunney also fails to disclose "identifying a plurality of recipients of a message based on a plurality of participants associated with the event". Applicants can find no equivalent step in Bunney.

Claims 22-26 recite an interface module to "detect a message corresponding to an event", and a "storage module to store an event profile describing the event". The Office Action asserts Bunney teaches these modules, (Office Action, Page 6, Lines 7-14). Applicants respectfully traverse.

The Office Action in rejecting claims 22-26 fails to provide the Bunney part or step relied on to assert that Bunney teaches the recited steps of "detect a message corresponding to an event" and "store an event profile", (Office Action, Page 6, Lines 7-14). As explained above, Bunney discloses searching, listing and scheduling events, (Bunney, Column 3, Line 36, Column 4, Lines 20-21, Column 8, Lines 43-48). Bunney, however, is silent with regard to "detecting a message corresponding to an event". Applicants submit that this limitation is not taught anywhere in Bunney making claims 22-26 patentable over Bunney. Moreover as explained

above Bunney fails to disclose an event profile as recited in claims 22-26.

For the reasons stated above, Applicants' submit that 1-7 and 9-27 are patentable over Bunney and respectfully request that this rejection be withdrawn.

Claim Rejections - 35 U.S.C. §103

Claim 8 was rejected under 35 U.S.C. § 103(a), as being unpatentable over Bunney. The Office Action cites no secondary reference and concludes that modifying Bunney to include the limitation "wherein the message is displayed after the event" would have been obvious to one of ordinary skill in the art. Claim 8 depends from claim 1, and as explained above claim 8 recites at least two limitations undisclosed by Bunney making claim 8 patentable over Bunney as well.

CONCLUSION

Applicants submit that the above amendments and remarks place all pending claims in a condition for allowance. If any of the claim rejections over Bunney are to be maintained, Applicants respectfully request that the equivalent parts of Bunney be properly identified and that the Applicants be provided with an opportunity to properly respond to the rejection.

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Respectfully submitted,

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